

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **People of MI v Gregory Allen Rasmussen**
Docket No. **268592**
L.C. No. **00-008150-FH**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10), orders:

The delayed application for leave to appeal is DISMISSED because appellant filed the application more than 12 months after the entry of the May 12, 2000 judgment of sentence where none of the exceptions found at MCR 7.205(F)(4) apply. Appellant reliance upon the United States Supreme Court's decision in *Halbert v Michigan*, 545 US ____; 125 S Ct 2514; 161 L Ed 2d 1109 (2005), to extend the time that he had to file a timely appeal is misplaced as a review of the sentencing transcript and the advice of rights form showed the Grand Traverse Circuit Court placed no restrictions on the appointment of appellate counsel other than requiring appellant to return the advice of rights form within 42 days if he desired the appointment of appellate counsel to pursue an appeal on his behalf.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAY 17 2006

Date

Sandra Schultz Mengel
Chief Clerk